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**\*E-FILED - 8/21/08\***

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Co-Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re FINISAR CORP. DERIVATIVE LITIGATION	)	Master File No. C-06-07660-RMW
	)	
	)	STIPULATION AND [] ORDER
	)	ENLARGING TIME FOR PLAINTIFFS TO
This Document Relates To:	)	FILE THEIR OPPOSITIONS TO
	)	DEFENDANTS' MOTION TO DISMISS
ALL ACTIONS.	)	SUPPLEMENTAL SECOND AMENDED
	)	CONSOLIDATED VERIFIED
	)	SHAREHOLDER DERIVATIVE
	)	COMPLAINT

1 WHEREAS, on May 12, 2008, plaintiffs filed the Second Amended Consolidated Verified  
2 Shareholder Derivative Complaint in this action;

3 WHEREAS, on May 21, 2008, plaintiffs filed an Unopposed Motion Pursuant to Federal  
4 Rule of Civil Procedure 15(d) to Supplement Plaintiffs' Second Amended Consolidated Verified  
5 Shareholder Derivative Complaint;

6 WHEREAS, on June 3, 2008, the Court issued an Order deeming filed the Supplemental  
7 Second Amended Consolidated Verified Shareholder Derivative Complaint ("Complaint");

8 WHEREAS, pursuant to Stipulation and Order dated June 20, 2008, defendants filed their  
9 motions to dismiss the Complaint on July 1, 2008;

10 WHEREAS, plaintiffs are scheduled to file their oppositions to the motions to dismiss on  
11 August 14, 2008;

12 WHEREAS, plaintiffs have requested an additional five days, until August 19, 2008, to file  
13 and serve their oppositions to the motions to dismiss;

14 WHEREAS, defendants have agreed to this request; and

15 WHEREAS, the extension will not prejudice or change the September 26, 2008 hearing date  
16 in this case.

17 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by plaintiffs and defendants,  
18 through their respective counsel of record subject to approval of the Court as follows:

19 1. Plaintiffs shall file and serve their oppositions to motions to dismiss the Complaint no  
20 later than August 19, 2008; and

21 2. Defendants shall file and serve their replies no later than September 12, 2008.

22 IT IS SO STIPULATED.

23 DATED: August 13, 2008

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
SHAWN A. WILLIAMS  
AELISH M. BAIG

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26  
27 /s/  
SHAWN A. WILLIAMS

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DATED: August 13, 2008

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/s/  
\_\_\_\_\_  
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Attorney for Defendants David Buse, John Drury,  
Mark Farley, Roger Ferguson, David Fries,  
Harold Hughes, Frank Levinson, Jan Lipson,  
Larry Mitchell, Gregory Olsen, Jerry Rawls,  
Robert Stephens, Dominique Trempont, Stephen  
Workman, and Joseph Young; and Nominal  
Defendant Finisar Corporation

I, Shawn A. Williams, am the ECF User whose ID and password are being used to file this  
Stipulation and [Proposed] Order Enlarging Time for Plaintiffs to File Their Oppositions to  
Defendants' Motion to Dismiss Supplemental Second Amended Consolidated Verified Shareholder  
Derivative Complaint. In compliance with N.D. Cal. Gen. Order 45, X.B., I hereby attest that David  
Priebe have concurred in this filing.

/s/

SHAWN A. WILLIAMS

DATED: August 13, 2008

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/s/

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Stipulation and [Proposed] Order Enlarging Time for Plaintiffs to File Their Oppositions to

1 Defendants' Motion to Dismiss Supplemental Second Amended Consolidated Verified Shareholder  
2 Derivative Complaint. In compliance with N.D. Cal. Gen. Order 45, X.B., I hereby attest that Lloyd  
3 Winawer have concurred in this filing.

4 \_\_\_\_\_ /s/  
5 SHAWN A. WILLIAMS

6 \* \* \*

7 **ORDER**

8 Having considered the parties' Stipulation, and good cause appearing, the Court hereby  
9 GRANTS the parties' Stipulation.

10 IT IS SO ORDERED.

11 DATED: 8/21/08 \_\_\_\_\_

*Ronald M. Whyte*  
12 \_\_\_\_\_  
13 THE HONORABLE RONALD M. WHYTE  
14 UNITED STATES DISTRICT JUDGE  
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CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 13, 2008.

s/ Shawn A. Williams

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## Mailing Information for a Case 5:06-cv-07660-RMW

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